



State of Illinois

ENVIRONMENTAL PROTECTION AGENCY

Cen Co

Mary A. Gade, Director

217/782-0610

2200 Churchill Road, Springfield, IL 62794-9276

May 17, 1994

COMETCO CORPORATION
1509 W CORTLAND
CHICAGO, IL. 60622

Re: COMETCO CORPORATION- CHICAGO FACILITY

Notice of Coverage under General Permit - NPDES Permit No. ILR002812

Dear NPDES Permittee:

We have reviewed your application and determined that storm water discharges associated with industrial activity (excluding construction sites) are appropriately covered by the attached General NPDES Permit issued by the Agency.

The permit as issued covers application requirements, a storm water pollution prevention plan, and reporting requirements. The storm water pollution prevention plan must be completed within 180 days of this notification of coverage and shall provide for compliance within 365 days of this notification of coverage.

Failure to meet any portion of the permit could result in civil and/or criminal penalties. The Agency is ready and willing to assist you in interpreting any of the conditions of the Permit as they relate specifically to your discharge.

The Permit is applied to your discharge effective on the date of this letter. You have the right to appeal the Agency's decision to cover your discharge by the General Permit to the Illinois Pollution Control Board within a 30 day period following the date of this letter.

This letter shows your facility permit number below your facility name. Please reference this number in all future correspondence. Should you have any questions concerning the Permit, please contact the Permit Section at 217/782-0610.

Very truly yours

Thomas G. McSwiggin, P.E.
Manager, Permit Section
Division of Water Pollution Control

TGM:SLE:a

Enclosure

cc: Records Unit
Region 2

Illinois Environmental Protection Agency
Division of Water Pollution Control
2200 Churchill Road
P.O. Box 19276
Springfield, Illinois 62794-9276
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
NPDES Permit

Expiration Date: October 1, 1997

Issue Date: October 16, 1992

Discharges authorized by this General Permit: In compliance with the provisions of the Illinois Environmental Protection Act, the Illinois Pollution Control Board Rules and Regulations (35 Ill. Adm. Code, Subtitle C, Chapter 1) and the Clean Water Act, the following discharges may be authorized by this permit in accordance with the conditions herein:

Discharges of storm water associated with industrial activity, as defined and limited herein. Storm water means storm water runoff, snow melt runoff, and surface runoff and drainage.

This general permit regulates only storm water discharges from a facility. Other discharges such as process wastewater or cooling water shall be regulated by other NPDES permits.

Receiving waters: Discharges may be authorized to any surface water of the State.

To receive authorization to discharge under this general permit, a facility operator must submit an application as described in the permit conditions to the Illinois Environmental Protection Agency. Authorization, if granted, will be by letter and include a copy of this permit.



Thomas G. McSwiggin, P.E.
Manager, Permit Section
Division of Water Pollution Control

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A. APPLICABILITY OF THIS GENERAL PERMIT

This permit is applicable to new and existing storm water discharges associated with industrial activity in the State of Illinois from the facilities listed below.

1. Discharges of storm water from facilities whose process wastewater discharges are subject to new source performance standards or toxic pollutant effluent standards under 40 CFR Subchapter N, except:
 - a. discharges subject to new source performance standards or toxic pollutant effluent standards and described in paragraph A.8. below which do not have materials or activities exposed to storm water;
 - b. discharges subject to storm water effluent limitations guidelines listed in B.1. of this permit.
2. Discharges from manufacturing facilities in the following categories:
 - SIC 24 (Lumber and wood products except furniture) except SIC 2434 (Wood kitchen cabinets)
 - SIC 26 (Paper and allied products) except SIC 265 (Paperboard containers and boxes from purchased paperboard) and SIC 267 (Converted paper and paperboard products, except containers and boxes)
 - SIC 28 (Chemicals and allied products) except SIC 283 (Drugs)
 - SIC 29 (Petroleum refining and related industries), except discharges subject to 40 CFR 419
 - SIC 311 (Leather tanning and finishing)
 - SIC 32 (Stone, clay, glass, and concrete products) except SIC 323 (Glass products made of purchased glass)
 - SIC 33 (Primary metal industries)
 - SIC 3441 (Fabricated structural metal)
 - SIC 373 (Ship and boat building and repairing)
3. Facilities classified as SIC Codes 10-14 (Mineral Industry) including active or inactive mining operations and oil and gas exploration, production, processing, treatment operations, or transmission facilities, except discharges subject to 40 CFR 434, 436, or 440.
4. Landfills, land application sites (excluding land application sites which utilize agricultural land), and open dumps that receive or have received any industrial wastes (waste that is received from any of the facilities described in 40 CFR 122.26(b)(14)).
5. Facilities involved in the recycling of materials including metal scrapyards, battery reclaimers, salvage yards, and automobile junkyards including but not limited to SIC 5015 (Used motor vehicle parts) and SIC 5093 (Scrap and waste materials)
6. Transportation facilities--portions of the following facilities involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, or airport deicing operations:
 - SIC 40 (Railroad transportation)
 - SIC 41 (Local and suburban transit and inter-urban highway passenger transportation)
 - SIC 42 (Motor freight transportation and warehousing) except SIC 4221-4225 (Farm product warehousing and storage, refrigerated warehousing and storage, general warehousing and storage)
 - SIC 43 (United States Postal Service)
 - SIC 44 (Water transportation)
 - SIC 45 (Transportation by air)
 - SIC 5171 (Petroleum bulk stations and terminals-wholesale)

7. Treatment Works treating domestic sewage with a design flow of 1 MGD or more, or required to have an approved pretreatment program; includes sludge or wastewater treatment devices or systems used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, and land dedicated to sludge disposal located within the confines of the facility; excludes off-site sludge management lands, farm lands, and gardens.
8. Facilities in the following SIC Codes with storm water discharges from areas (except access roads and rail lines) where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to storm water.

SIC 20 (Food and kindred products manufacturing or processing)
 SIC 21 (Tobacco products)
 SIC 22 (Textile mill products)
 SIC 23 (Apparel and other finished products made from fabrics and similar materials)
 SIC 2434 (Wood kitchen cabinets)
 SIC 25 (Furniture and fixtures)
 SIC 265 (Paperboard containers and boxes)
 SIC 267 (Converted paper and paperboard products, except containers and boxes)
 SIC 27 (Printing, publishing, and allied industries)
 SIC 283 (Drugs)
 SIC 285 (Paints, varnishes, lacquers, enamels, and allied products)
 SIC 30 (Rubber and miscellaneous plastics products)
 SIC 31 (Leather and leather products) except SIC 311 (Leather tanning and finishing)
 SIC 323 (Glass products, made of purchased glass)
 SIC 34 (Fabricated metal products, except machinery and transportation equipment) except SIC 3441 (Fabricated structural metal)
 SIC 35 (Industrial and commercial machinery and computer equipment)
 SIC 36 (Electronic and other electrical equipment and components, except computer equipment)
 SIC 37 (Transportation equipment) except SIC 373 (Ship and boat building and repairing)
 SIC 38 (Measuring, analyzing, and controlling instruments; photographic, medical, and optical goods; watches and clocks)
 SIC 39 (Miscellaneous manufacturing industries)
 SIC 4221-25 (Farm products warehousing and storage, refrigerated warehousing and storage, general warehousing and storage)

B. TYPES OF DISCHARGES NOT COVERED BY THIS PERMIT

This permit is not applicable to storm water discharges from the following facilities:

1. Discharges subject to storm water effluent limitations guidelines in the following categories:

Cement Manufacturing (40 CFR 411)
 Feedlots (40 CFR 412)
 Fertilizer Manufacturing (40 CFR 418)
 Petroleum Refining (40 CFR 419)
 Phosphate Manufacturing (40 CFR 422)
 Steam Electric (40 CFR 423)
 Coal Mining (40 CFR 434)
 Mineral Mining and Processing (40 CFR 436)
 Ore Mining and Dressing (40 CFR 440)
 Asphalt Emulsion (40 CFR 443)

2. Hazardous waste treatment, storage or disposal facilities.
3. Steam electric power generating facilities, including coal handling sites.
4. Construction activity including clearing, grading and excavation activities.
5. Storm water discharges associated with industrial activity from facilities with an existing NPDES individual or general permit for the storm water discharges.
6. Storm water discharges associated with industrial activity which are identified by the Agency as possibly causing or contributing to a violation of water quality standards.
7. Storm water discharges associated with inactive mining or inactive oil and gas operations occurring on Federal lands where an operator cannot be identified.
8. Storm water discharges that the Agency determines are not appropriately covered by this general permit.

This permit does not authorize the discharge of hazardous substances or oil resulting from an on-site spill, and does not supercede any reporting requirements for spills or releases of hazardous substances or oil.

C. APPLICATION REQUIREMENTS

1. Dischargers seeking coverage under this general permit shall provide the Illinois Environmental Protection Agency (IEPA) with the following information:
 - a. A completed IEPA Notice of Intent form, accompanied by quantitative sampling data for the storm water discharge(s) if available; or
 - b. A completed U.S. EPA Form 1, including Form 2F and quantitative sampling data if available; or
 - c. A completed U.S. EPA Notice of Intent form, accompanied by quantitative sampling data for the storm water discharge (s) if available.
 - d. Participation in a group application accepted by U.S. EPA shall also be considered as an application for coverage under this general permit, subject to the applicability provisions of this permit.
2. Quantitative sampling data as required by U.S. EPA Form 2F for storm water discharges from the following facilities is required to be submitted, unless the facility is a participant in a group application accepted by U.S. EPA. Applications submitted without sample results will be considered complete if sample results are submitted before April 1, 1993.
 - a. Facilities subject to reporting requirements under Section 313 of EPCRA for chemicals classified as "Section 313 water priority chemicals": Storm water discharges that come into contact with any equipment, tank, container, or other vessel or area used for storage of a Section 313 water priority chemical, or located at a truck or rail car unloading area where a Section 313 water priority chemical is handled.
 - b. Facilities classified as SIC 33 (Primary Metal Industries).
 - c. Active or inactive landfills, land application sites, or open dumps without a stabilized final cover which have received any industrial wastes.
 - d. Wood treatment facilities: Storm water discharges from areas that are used for wood treatment, wood surface application, or storage of treated or surface protected wood.
 - e. Coal pile runoff at industrial facilities other than coal mines.
 - f. Battery reclaiming facilities: storm water discharges from areas used for storage of lead acid batteries, reclamation products, or waste products, and areas used for lead acid battery reclamation.
 - g. Airports with over 50,000 flight operations per year: storm water discharges from aircraft or airport deicing areas.
 - h. Meat packing plants, poultry packing plants, and facilities that manufacture animal and marine fats and oils.
 - i. Facilities classified as SIC 28 (Chemicals and Allied Products) and SIC 30 (Rubber and Miscellaneous Plastics Products): Storm water discharges that come into contact with solid chemical storage piles.
 - j. Automobile junkyards: Storm water discharges exposed to over 250 auto/truck bodies with drivelines, over 250 drivelines, or any combination thereof (in whole or in parts); over 500 auto/truck units (bodies with or without drivelines in whole or in parts); or over 100 units per year are dismantled and drainage or storage of automotive fluids occurs in areas exposed to storm water.
 - k. Lime manufacturing facilities: storm water discharges that have come into contact with lime storage piles.
 - l. Cement manufacturing facilities and cement kilns: Storm water discharges other than those subject to 40 CFR 411.
 - m. Ready-mixed concrete facilities.
 - n. Ship building and repairing facilities.
3. When a facility has two or more outfalls that, based on consideration of features and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may sample the effluent of one such outfall and report that quantitative data also applies to the substantially identical outfalls. If the applicant is requesting approval to sample a representative outfall, identification of all

storm water outfalls considered to be substantially identical along with the outfall being used to represent such outfalls and appropriate justification must be provided with the application.

4. For existing facilities with an individual NPDES permit covering storm water associated with industrial activity, or those facilities who have previously submitted an application for an individual permit and not yet received a permit, the permittee/applicant may elect to seek coverage under this general permit in place of obtaining an individual permit. To be considered for coverage the permittee/applicant is required to submit the above information following the general permit issue date.
5. For new facilities, the NOI and required information shall be submitted 180 days prior to the date on which the discharge is to commence unless permission for a later date has been granted by the IEPA. Mobile facilities (such as concrete or asphalt batch plants) shall apply at least 30 days prior to discharge.
6. For purposes of the permit an existing facility shall be considered a facility which discharged storm water associated with industrial activity prior to the application deadline set by the U.S. EPA storm water regulations. A new facility is a facility which generates storm water after, but not before the deadline.
7. The required information shall be submitted to the following address:

Illinois Environmental Protection Agency
Division of Water Pollution Control
Permit Section
Post Office Box 19276
Springfield, Illinois 62794-9276
8. In any case where an NPDES Permit has been timely applied for but final administrative disposition of such application has not been made, it shall not be a violation of Section 12(F) of the Environmental Protection Act to discharge without such permit unless the complainant proves that final administrative disposition has not been made because of the failure of the applicant to furnish information reasonably required or requested in order to process the application. For purposes of this provision, participation in a group application filed with U.S. EPA shall be deemed an application filed with the Agency. This provision does not relieve the applicant from the responsibility for compliance with any other requirement of the Act or regulations promulgated under the Act.
9. Facilities which discharge storm water associated with industrial activity to a municipal separate storm sewer system shall notify the municipality, and shall provide the municipality with a copy of their application if requested.

D. STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

1. A storm water pollution prevention plan shall be developed by the permittee for each facility covered by this permit. The plan shall identify potential sources of pollution which may be expected to affect the quality of storm water discharges associated with the industrial activity at the facility. In addition, the plan shall describe and ensure the implementation of practices which are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit.
2. The plan shall be completed within 180 days of notification by the Agency of coverage by this permit or in the case of new facilities, prior to submitting an NOI to be covered under this permit. Plans shall provide for compliance with the terms of the plan within 365 days of notification by the Agency of coverage by this permit, or in the case of new facilities, prior to submitting an NOI to be covered under this permit. The owner or operator of a facility with storm water discharges covered by this permit shall make a copy of the plan available to the Agency at any reasonable time upon request.

Facilities which discharge to a municipal separate storm sewer system shall also make a copy available to the operator of the municipal system at any reasonable time upon request.
3. The permittee may be notified by the Agency at any time that the plan does not meet the requirements of this permit. After such notification, the permittee shall make changes to the plan and shall submit a written certification that the requested changes have been made. Unless otherwise provided, the permittee shall have 30 days after such notification to make the changes.
4. The discharger shall amend the plan whenever there is a change in construction, operation, or maintenance which may affect the discharge of significant quantities of pollutants to the waters of the State or if a facility inspection required by paragraph D.8. of this permit indicates that an amendment is needed. The plan should also be amended if the discharger is

in violation of any conditions of this permit, or has not achieved the general objectives of controlling pollutants in storm water discharges. Amendments to the plan shall be made within the shortest reasonable period of time, and shall be provided to the Agency for review upon request.

5. The plan shall provide a description of potential sources which may be expected to add significant quantities of pollutants to storm water discharges, or which may result in non-storm water discharges from the facility. The plan shall include, at a minimum, the following items:
 - a. A topographic map extending one-quarter mile beyond the property boundaries of the facility, showing: the facility, surface water bodies, wells (including injection wells), seepage pits, infiltration ponds, and the discharge points where the facility's storm water discharges to a municipal storm drain system or other water body. The requirements of this paragraph may be included on the site map if appropriate.
 - b. A site map showing:
 - i. The storm water conveyance and discharge structures;
 - ii. An outline of the storm water drainage areas for each storm water discharge point;
 - iii. Paved areas and buildings;
 - iv. Areas used for outdoor manufacturing, storage, or disposal of significant materials, including activities that generate significant quantities of dust or particulates.
 - v. Location of existing storm water structural control measures (dikes, coverings, detention facilities, etc.);
 - vi. Surface water locations and/or municipal storm drain locations
 - vii. Areas of existing and potential soil erosion;
 - viii. Vehicle service areas;
 - ix. Material loading, unloading, and access areas.
 - c. A narrative description of the following:
 - i. The nature of the industrial activities conducted at the site, including a description of significant materials that are treated, stored or disposed of in a manner to allow exposure to storm water;
 - ii. Materials, equipment, and vehicle management practices employed to minimize contact of significant materials with storm water discharges;
 - iii. Existing structural and non-structural control measures to reduce pollutants in storm water discharges;
 - iv. Industrial storm water discharge treatment facilities;
 - v. Methods of onsite storage and disposal of significant materials;
 - d. A list of the types of pollutants that have a reasonable potential to be present in storm water discharges in significant quantities.
 - e. An estimate of the size of the facility in acres or square feet, and the percent of the facility that has impervious areas such as pavement or buildings.
 - f. A summary of existing sampling data describing pollutants in storm water discharges.
6. The plan shall describe the storm water management controls which will be implemented by the facility. The appropriate controls shall reflect identified existing and potential sources of pollutants at the facility. The description of the storm water management controls shall include:
 - a. Storm Water Pollution Prevention Personnel - Identification by job titles of the individuals who are responsible for developing, implementing, and revising the plan.
 - b. Preventive Maintenance - Procedures for inspection and maintenance of storm water conveyance system devices such as oil/water separators, catch basins, etc., and inspection and testing of plant equipment and systems that could fail and result in discharges of pollutants to storm water.

- c. **Good Housekeeping** - Good housekeeping requires the maintenance of clean, orderly facility areas that discharge storm water. Material handling areas shall be inspected and cleaned to reduce the potential for pollutants to enter the storm water conveyance system.
 - d. **Spill Prevention and Response** - Identification of areas where significant materials can spill into or otherwise enter the storm water conveyance systems and their accompanying drainage points. Specific material handling procedures, storage requirements, spill clean up equipment and procedures should be identified, as appropriate. Internal notification procedures for spills of significant materials should be established.
 - e. **Storm Water Management Practices** - Storm water management practices are practices other than those which control the source of pollutants. They include measures such as installing oil and grit separators, diverting storm water into retention basins, etc. Based on assessment of the potential of various sources to contribute pollutants, measures to remove pollutants from storm water discharge shall be implemented. In developing the plan, the following management practices shall be considered:
 - i. **Containment** - Storage within berms or other secondary containment devices to prevent leaks and spills from entering storm water runoff;
 - ii. **Oil & Grease Separation** - Oil/water separators, booms, skimmers or other methods to minimize oil contaminated storm water discharges;
 - iii. **Debris & Sediment Control** - Screens, booms, sediment ponds or other methods to reduce debris and sediment in storm water discharges;
 - iv. **Waste Chemical Disposal** - Waste chemicals such as antifreeze, degreasers and used oils shall be recycled or disposed of in an approved manner and in a way which prevents them from entering storm water discharges.
 - v. **Storm Water Diversion** - Storm water diversion away from materials manufacturing, storage and other areas of potential storm water contamination;
 - vi. **Covered Storage or Manufacturing Areas** - Covered fueling operations, materials manufacturing and storage areas to prevent contact with storm water.
 - f. **Sediment and Erosion Prevention** - The plan shall identify areas which due to topography, activities, or other factors, have a high potential for significant soil erosion and describe measures to limit erosion.
 - g. **Employee Training** - Employee training programs shall inform personnel at all levels of responsibility of the components and goals of the storm water pollution control plan. Training should address topics such as spill response, good housekeeping and material management practices. The plan shall identify periodic dates for such training.
 - h. **Inspection Procedures** - Qualified plant personnel shall be identified to inspect designated equipment and plant areas. A tracking or follow-up procedure shall be used to ensure appropriate response has been taken in response to an inspection. Inspections and maintenance activities shall be documented and recorded.
7. **Non-Storm water Discharges** - The plan shall include a certification that the discharge has been tested or evaluated for the presence of non-storm water discharges. The certification shall include a description of any tests for the presence of non-storm water discharges, the methods used, the dates of the testing, and any onsite drainage points that were observed during the testing. Any facility that is unable to provide this certification must describe the procedure of any test conducted for the presence of non-storm water discharges, the test results, potential sources of non-storm water discharges to the storm sewer, and why adequate tests for such storm sewers were not feasible. Discharges not comprised entirely of storm water are not authorized by this permit.
 8. The permittee shall conduct an annual facility inspection to verify that all elements of the plan, including the site map, potential pollutant sources, and structural and non-structural controls to reduce pollutants in industrial storm water discharges are accurate. Observations that require a response and the appropriate response to the observation shall be retained as part of the plan. Records documenting significant observations made during the site inspection shall be submitted to the Agency in accordance with the reporting requirements of this permit.
 9. This plan should briefly describe the appropriate elements of other program requirements, including Spill Prevention Control and Countermeasures (SPCC) plans required under Section 311 of the CWA and the regulations promulgated thereunder, and Best Management Programs under 40 CFR 125.100.
 10. The plan is considered a report that shall be available to the public under Section 308(b) of the CWA. The permittee may claim portions of the plan as confidential business information, including any portion describing facility security measures.

11. The plan shall include the signature and title of the person responsible for preparation of the plan and include the date of initial preparation and each amendment thereto.
12. Facilities which discharge storm water associated with industrial activity to municipal separate storm sewers may also be subject to additional requirements imposed by the operator of the municipal system.

F. CONSTRUCTION AUTHORIZATION

Authorization is hereby granted to construct treatment works and related equipment that may be required by the Storm Water Pollution Prevention Plan developed pursuant to this permit.

This Authorization is issued subject to the following condition(s).

1. If any statement or representation is found to be incorrect, this authorization may be revoked and the permittee thereupon waives all rights thereunder.
2. The issuance of this authorization (a) does not release the permittee from any liability for damage to persons or property caused by or resulting from the installation, maintenance or operation of the proposed facilities; (b) does not take into consideration the structural stability of any units or part of this project; and (c) does not release the permittee from compliance with other applicable statutes of the State of Illinois, or other applicable local law, regulations or ordinances.
3. Plans and specifications of all treatment equipment being included as a part of the stormwater management practice shall be included in the SWPPP.
4. Any modification of or deviation from the plans and specifications originally submitted with the initial SWPPP requires amendment of the SWPPP.
5. Construction activities which result from treatment equipment installation, including cleaning, grading and excavation activities which result in the disturbance of five acres or more of land area, are not covered by this authorization. The permittee shall contact the IEPA regarding required permit(s).

F. REPORTING

1. The facility shall submit an annual inspection report to the Illinois Environmental Protection Agency. The report shall include results of the annual facility inspection which is required by Part 8 of the Storm Water Pollution Prevention Plan of this permit. The report shall also include documentation of any event (spill, treatment unit malfunction, etc.) which would require an inspection, results of the inspection, and any subsequent corrective maintenance activity. The report shall be completed and signed by the authorized facility employee(s) who conducted the inspection(s).
2. The first report shall contain information gathered during the one year time period beginning with the effective date of coverage under this permit and shall be submitted no later than 60 days after this one year period has expired. Each subsequent report shall contain the previous year's information and shall be submitted no later than one year after the previous year's report was due.
3. Annual inspection reports shall be mailed to the following address:

Illinois Environmental Protection Agency
Division of Water Pollution Control
Compliance Assurance Section
Annual Inspection Report
2200 Churchill Road
P.O. Box 19276
Springfield, Illinois 62794-9276
4. If the facility performs inspections more frequently than required by this permit, the results shall be included as additional information in the annual report.

G. TERMINATION OF COVERAGE UNDER THIS PERMIT

1. Where all storm water discharges associated with industrial activity that have been authorized by this permit are eliminated, the operator of the facility may submit a termination request to the Agency at the address shown on Page 5 of this permit. The termination request shall include the name, address, telephone number, and location of the facility, and a description of actions taken to eliminate the storm water discharge or other justification for the request. Coverage under this permit is not terminated until the Agency acts on the termination request, and reports as described above are required until coverage is terminated.

2. The Agency may require any person authorized by this permit to apply for and obtain either an individual NPDES permit or an alternative NPDES general permit. Any interested person may petition the Agency to take action under this paragraph. The Agency may require any owner or operator authorized to discharge under this permit to apply for an individual NPDES permit only if the owner or operator has been notified in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the owner or operator to file the application, and a statement that on the effective date of the individual NPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. The Agency may grant additional time to submit the application upon request of the applicant. If an owner or operator fails to submit in a timely manner an individual NPDES permit application required by the Agency under this paragraph then the applicability of this permit to the individual NPDES permitted is automatically terminated at the end of the day specified for application submittal.
3. Any owner or operator authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. The owner or operator shall submit an individual application with reasons supporting the request, in accordance with the requirements of 40 CFR 122.28, to the Agency. The request shall be granted by issuing of an individual permit or an alternative general permit if the reasons cited by the owner or operator are adequate to support the request.
4. When an individual NPDES permit is issued to an owner or operator otherwise subject to this permit, or the owner or operator is approved for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the issue date of the individual permit or the date of approval for coverage under the alternative general permit, whichever the case may be. When an individual NPDES permit is denied to an owner or operator otherwise subject to this permit, or the owner or operator is denied coverage under an alternative NPDES general permit the applicability of this permit to the individual NPDES permitted is automatically terminated on the date of such denial, unless otherwise specified by the Agency.

H. RENEWAL

1. Application forms for renewal procedures, including coverage under this general permit, will be available approximately one year prior to the expiration date.
2. Any Permittee who wishes to continue to discharge after the expiration date of this general permit shall apply for reissuance of the permit not less than 180 days prior to the expiration date of this permit.

I. DEFINITIONS

1. Coal pile runoff means the rainfall runoff from or through any coal storage pile.
2. Land application unit means an area where wastes are applied onto or incorporated into the soil surface (excluding manure spreading operations) for treatment or disposal.
3. Landfill means an area of land or an excavation in which wastes are placed for permanent disposal, and which is not a land application unit, surface impoundment, injection well or waste pile.
4. Section 313 water priority chemical means a chemical or chemical categories which: 1) Are listed at 40 CFR 372.65 pursuant to Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) (also known as Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986); 2) are present at or above threshold levels at a facility subject to EPCRA Section 313 reporting requirements; and 3) that meet at least one of the following criteria: (i) Are listed in Appendix D of 40 CFR 122 on either Table II (organic priority pollutants), Table III (certain metals, cyanides, and phenols) or Table V (certain toxic pollutants and hazardous substances); (ii) are listed as a hazardous substance pursuant to section 311(b)(2)(A) of the CWA at 40 CFR 116.4; or (iii) are pollutants for which EPA has published acute or chronic water quality criteria.
5. Significant materials includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to EPCRA Section 313; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges.
6. Significant spills includes, but is not limited to: releases of oil or hazardous substances in excess of reportable quantities under section 311 of the Clean Water Act (see 40 CFR 110.10 and CFR 117.21) or section 102 of CERCLA (see 40 CFR 302.4).

Note that additional definitions are included in the permit Standard Conditions, Attachment H.

ATTACHMENT H

Standard Conditions

Definitions

Act means the Illinois Environmental Protection Act, Ch. 111 1/2 Ill. Rev. Stat., Sec. 1001-1052 as Amended.

Agency means the Illinois Environmental Protection Agency.

Board means the Illinois Pollution Control Board.

Clean Water Act (formerly referred to as the Federal Water Pollution Control Act) means Pub. L. 92-500, as amended, 33 U.S.C. 1251 et seq.

NPDES (National Pollutant Discharge Elimination System) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 402, 318 and 405 of the Clean Water Act.

USEPA means the United States Environmental Protection Agency.

Daily Discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurements, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

Maximum Daily Discharge Limitation (daily maximum) means the highest allowable daily discharge.

Average Monthly Discharge Limitation (30 day average) means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

Average Weekly Discharge Limitation (7 day average) means the highest allowable average of daily discharges over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Aliquot means a sample of specified volume used to make up a total composite sample.

Grab Sample means an individual sample of at least 100 milliliters collected at a randomly-selected time over a period not exceeding 15 minutes.

24 Hour Composite Sample means a combination of at least 8 sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of a facility over a 24-hour period.

8 Hour Composite Sample means a combination of at least 3 sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of a facility over an 8-hour period.

Flow Proportional Composite Sample means a combination of sample aliquots of at least 100 milliliters collected at periodic intervals such that either the time interval between each aliquot or the volume of each aliquot is proportional to either the stream flow at the time of sampling or the total stream flow since the collection of the previous aliquot.

- (1) Duty to comply. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or for denial of a permit renewal application. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.
- (2) Duty to reapply. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. If the permittee submits a proper application as required by the Agency no later than 180 days prior to the expiration date, this permit shall continue in full force and effect until the final Agency decision on the application has been made.
- (3) Need to halt or reduce activity not a defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- (4) Duty to mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
- (5) Proper operation and maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up, or auxiliary facilities, or similar systems only when necessary to achieve compliance with the conditions of the permit.

- (6) Permit actions. This permit may be modified, revoked and reissued, or terminated for cause by the Agency pursuant to 40 CFR 122.62. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- (7) Property rights. This permit does not convey any property rights of any sort, or any exclusive privilege.
- (8) Duty to provide information. The permittee shall furnish to the Agency within a reasonable time, any information which the Agency may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also furnish to the Agency, upon request, copies of records required to be kept by this permit.
- (9) Inspection and entry. The permittee shall allow an authorized representative of the Agency, upon the presentation of credentials and other documents as may be required by law, to:
 - (a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
 - (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - (c) Inspect at reasonable times any facilities, equipment including monitoring and control equipment, practices, or operations regulated or required under this permit; and
 - (d) Sample or monitor at reasonable times, for the purpose of assuring permit compliance, or as otherwise authorized by the Act, any substances or parameters at any location.
- (10) Monitoring and records.
 - (a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
 - (b) The permittee shall retain records of all monitoring information, including all calibration and maintenance records, and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of this permit, measurement, report or application. This period may be extended by request of the Agency at any time.
 - (c) Records of monitoring information shall include:
 - (1) The date, exact place, and time of sampling or measurements;
 - (2) The individual(s) who performed the sampling or measurements;
 - (3) The date(s) analyses were performed;
 - (4) The individual(s) who performed the analyses;
 - (5) The analytical techniques or methods used; and
 - (6) The results of such analyses.
 - (d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit. Where no test procedure under 40 CFR Part 136 has been approved, the permittee must submit to the Agency a test method for approval. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.
- (11) Signatory requirement. All applications, reports or information submitted to the Agency shall be signed and certified.
 - (a) Application. All permit applications shall be signed as follows:
 - (1) For a corporation: by a principal executive officer of at least the level of vice president or a person or position having over- responsibility for environmental matters for the corporation;
 - (2) For a partnership or sole proprietorship: by a general partner or proprietor, respectively; or
 - (3) For a municipality, State, Federal, or other public agency: either a principal executive officer or ranking elected official.
 - (b) Reports. All reports required by permits, or other information requested by the Agency shall be signed by a person described in paragraph (a) or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - (1) The authorization is made in writing by a person described in paragraph (a); and
 - (2) The authorization specifies either an individual or a position responsible for the overall operation of the facility, from which discharge originates, such as a plant manager, superintendent, person of equivalent responsibility; and
 - (3) The written authorization is submitted to the Agency.

- (c) **Changes of Authorization.** If an authorization under (b) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of (b) must be submitted to the Agency prior to or together with any reports, information, or applications to be signed by an authorized representative.
- (12) **Reporting requirements.**
- (a) **Planned changes.** The permittee shall give notice to the Agency as soon as possible of any planned physical alterations or additions to the permitted facility.
- (b) **Anticipated noncompliance.** The permittee shall give advance notice to the Agency of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- (c) **Compliance schedules.** Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
- (d) **Monitoring reports.** Monitoring results shall be reported at the intervals specified elsewhere in this permit.
- (1) Monitoring results must be reported on a Discharge Monitoring Report (DMR).
- (2) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR 136 or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
- (3) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Agency in the permit.
- (e) **Twenty-four hour reporting.** The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times; and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The following shall be included as information which must be reported within 24 hours:
- (1) Any unanticipated bypass which exceeds any effluent limitation in the permit;
- (2) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Agency in the permit to be reported within 24 hours;
- The Agency may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
- (f) **Other noncompliance.** The permittee shall report all instances of noncompliance not reported under paragraphs (12)(c), (d), or (e), at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (12)(e).
- (g) **Other information.** Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to the Agency, it shall promptly submit such facts or information.
- (13) **Transfer of permits.** A permit may be automatically transferred to a new permittee if:
- (a) The current permittee notifies the Agency at least 30 days in advance of the proposed transfer date;
- (b) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittees; and
- (c) The Agency does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement.
- (14) **All manufacturing, commercial, mining, and silvicultural dischargers must notify the Agency as soon as they know or have reason to believe:**
- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant identified under Section 307 of the Clean Water Act which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
- (1) One hundred micrograms per liter (100 ug/l);
- (2) Two hundred micrograms per liter (200 ug/l) for acrotoxin and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
- (3) Five (5) times the maximum concentration value reported for that pollutant in the NPDES permit application; or
- (4) The level established by the Agency in this permit.
- (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the NPDES permit application.
- (15) **All Publicly Owned Treatment Works (POTWs) must provide adequate notice to the Agency of the following:**
- (a) Any new introduction of pollutants into that POTW from an indirect discharger which would be subject to Sections 301 or 308 of the Clean Water Act if it were directly discharging those pollutants; and
- (b) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
- (c) For purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.
- (16) **If the permit is issued to a publicly owned or publicly regulated treatment works, the permittee shall require any industrial user of such treatment works to comply with federal requirements concerning:**
- (1) User charges pursuant to Section 204(b) of the Clean Water Act, and applicable regulations appearing in 40 CFR 35;
- (2) Toxic pollutant effluent standards and pretreatment standards pursuant to Section 307 of the Clean Water Act; and
- (3) Inspection, monitoring and entry pursuant to Section 308 of the Clean Water Act.
- (17) **If an applicable standard or limitation is promulgated under Section 301(b)(2)(C) and (D), 304(b)(2), or 307(a)(2) and that effluent standard or limitation is more stringent than any effluent limitation in the permit, or controls a pollutant not limited in the permit, the permit shall be promptly modified or revoked, and reissued to conform to that effluent standard or limitation.**
- (18) **Any authorization to construct issued to the permittee pursuant to 35 Ill. Adm. Code 309.154 is hereby incorporated by reference as a condition of this permit.**
- (19) **The permittee shall not make any false statement, representation or certification in any application, record, report, plan or other document submitted to the Agency or the USEPA, or required to be maintained under this permit.**
- (20) **The Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$10,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 306, 307, or 308 of the Clean Water Act is subject to a fine of not less than \$2,500, nor more than \$25,000 per day of violation, or by imprisonment for not more than one year, or both.**
- (21) **The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.**
- (22) **The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit shall, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.**
- (23) **Collected screening, slurries, sludges, and other solids shall be disposed of in such a manner as to prevent entry of those wastes for runoff from the wastes) into waters of the State. The proper authorization for such disposal shall be obtained from the Agency and is incorporated as part hereof by reference.**
- (24) **In case of conflict between these standard conditions and any other condition(s) included in this permit, the other condition(s) shall govern.**
- (25) **The permittee shall comply with, in addition to the requirements of the permit, all applicable provisions of 35 Ill. Adm. Code, Subtitle C, Subtitle D, Subtitle E, and all applicable orders of the Board.**
- (26) **The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit is held invalid, the remaining provisions of this permit shall continue in full force and effect.**

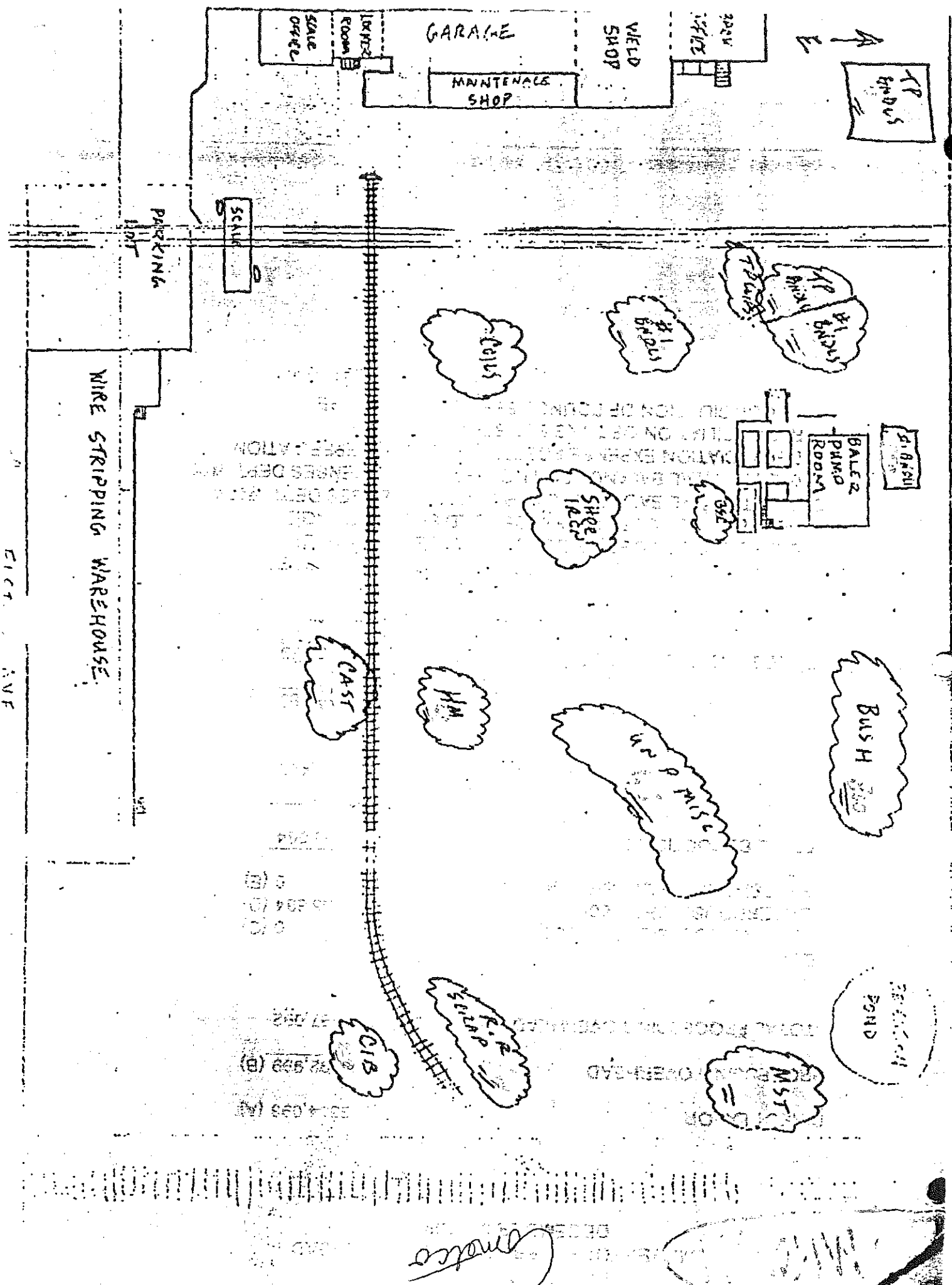


FIG. 1

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